

Serial No.: 10/737,421
Docket No.: AO720B

Examiner: T. Phan
Art Unit: 2841

REMARKS

This Amendment is being filed in response to the outstanding Office Action dated February 22, 2006. A one month extension of time is being filed herewith. Reconsideration of all the claims in view of the amendments made above and remarks to follow is earnestly solicited.

Claims 1-14 stand rejected as being obvious over U.S. Patent No. 6,618,328 (Ellner) in view of U.S. Patent No. 5,210,722 (Schwartz). Applicants respectfully traverse these rejections. Applicants note that claims 11-14 have been canceled, without prejudice.

As now amended, Applicants' claimed invention affirmatively recites a display that is particularly configured to be coupleable to the various means as set forth in the claims. As will be set forth below, it is respectfully submitted that the foregoing features are not described or suggested in the Ellner patent.

For example, in Ellner's first embodiment (i.e. Figs. 1 and 2), the watch assembly has a backing plate which includes a recess 17, which is described as a secret compartment, having a bottom surface that serves as a message bearing area (col. 4, lines 50-61). In an alternative embodiment (i.e. Figs. 3-9), again, a recess or secret compartment 27 is provided, and as described, a releasable latch is provided to open the casing (col. 5, lines 12-30). The embodiment of Figs. 10-11 is illustrated as having a removable panel which is slidable from the closed position to an open position (col. 5, lines 31-45). Figs. 12 and 13 are likewise devoid of any type of display as claimed, while Figs. 14 and 15 again describes a "secret" compartment, which upon the release of the timepiece from its locked position, reveals a message located in backing 95 (col. 6, lines 3-11).

Ellner describes a further variation in Figs. 16 and 17. In this embodiment, the watch assembly includes a digital display piece and another viewable item located beneath it such as a digital picture. Upon the depression or other actuation of a release member, the digital picture can be replaced by a psychological message. Here too,

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Applicants respectfully submit that there is no description or suggestion of a display, as claimed.

Figs. 18 and 19 of Ellner merely describe a watch assembly with a watch face, wherein upon the depression of an actuating member, the watch face changes to an auxiliary mode, wherein a message is revealed inside of watch face 113. Moreover, the embodiment of Fig. 20 is likewise devoid of any display as claimed, for this embodiment merely describes and illustrates a secret compartment, an electronic voice chip and speaker, wherein upon the operation of an actuating member, an audible message can be heard through the speaker. While a microphone assembly is described as an option, this embodiment too is devoid of the display and substitutional functionality being claimed in the amended claims.

Applicants have also reviewed the remaining embodiments of the Ellner patent and believe them to be devoid of the claimed display as well.

For example, Fig. 21 likewise describes a secret compartment in which a functional member 147 is provided. While this functional member is described as being capable of emitting signals (electronic, audio, visual), it is respectfully submitted that the coupling to the display in the manner claimed by Applicants is absent. The fact that this functional member is described as being located in a secret compartment (i.e. col. 6, lines 54-55) is respectfully submitted as supporting the conclusion that this member is wholly independent without any description or suggestion of being electrically coupled to the display of for example, the display for watch assembly 141.

Fig. 22 is no closer to the invention as now claimed by Applicants as it merely describes a removable plaque on the rear of the watch for bearing messages. In even more patentable distinction to the invention as now claimed, Figs. 23 and 24 merely describe and illustrate a mood sensing stone embedded in a secret compartment. Although the stone may change color "according to the emotional state of the user," this is in no way describes or suggests the more elaborate display coupling as now claimed.

For the foregoing reasons and specifically, because the cited art (i.e. neither Ellner or Schwartz, alone or in combination), describe or suggest a display that is electrically couplable to the claimed means, Applicants respectfully submit that the claims as now

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amended (and newly presented) are patentable over the cited art and notice to this effect is earnestly solicited.

CONCLUSION

Applicants have made a sincere and diligent effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited. However, if any issues still remain, the Examiner is respectfully requested to telephone the undersigned to resolve such issues prior to the issuance of another office action.

Early and favorable action is earnestly solicited.

Respectfully submitted,


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